

The Cooper Union Address



- What was the framers view of the right of the federal congress to regulate the territories?
 - Douglas' position
 - Pop sovereignty
 - Lincoln's position
 - Federal authority



■ "Our fathers, when they framed the Government under which we live, understood this question just as well, and even better, than we do now."

– DOUGLAS – DIVISION OF LOCAL AND FEDERAL AUTHORITY WAS THE CORNERSTONE OF THE AMERICAN UNION – ON SLAVERY LOCALITY TRUMPS FEDERAL GOVERNMENT

– LINCOLN – NOTHING IN THE CONSTITUTION PREVENTS FED GOVT FROM REGULATING SLAVERY

–NOTE THE STRUCTURE OF THE
SPEECH

–2 PARTS

- DETAILED LIST OF EVIDENCE
- RHETORICAL AND MOVING
STATEMENT OF REPUBLICAN
PLATFORM

- EVIDENCE

- NW TERRITORY – 1784

- 4/39

- $\frac{3}{4}$ - VOTED FOR PROHIB

- $\frac{1}{4}$ - VOTED AGAINST – PROBABLY THOUGHT IT WAS WRONG*

- ORDINANCE OF 1787

- 2/39

- 2/2 – VOTED FOR IT

- CONVENTION OF 1787

- NEVER DISCUSSED

- 1789 – PROVISION FOR ENFORCEMENT OF '87 ORDINANCE
 - W/OUT YEAS AND NEAS = UNANIMOUS – 16/39
- CEDED TERRITORIES OF NC AND GA
 - SLAVERY NOT PROHIBITED
 - NO YEAS AND NEAS
 - 3/39
 - THEY PROBABLY VOTED FOR IT
- REGULATIONS FOR LA TERRITORY
 - 2/39
 - THEY PROBABLY VOTED FOR IT
- MISSOURI COMPROMISE
 - 2/39
 - KING VS PICKNEY

- SUMMARY OF EVIDENCE

- 23/39

- 21/23

- A Clear Majority?

- Other Evidence

- THE 2 WHO VOTED AGST MAY HAVE DONE SO BECAUSE THEY THOUGHT LIKE DOUGLAS – BUT BECAUSE THEY VOTED – THEY DO NOT AGREE WITH DOUGLAS

- AS FOR THE OTHER 16 – IF THEY ACTED AT ALL, THEY PROBABLY AGREE WITH THE 39

- CONCLUSION 21/39 AGREED THAT FED GOVT HAS AUTHORITY TO REGULATE AND THE REST PROBABLY AGREED

- The Bill of Rights

SOME WOULD SAY THAT THE AMENDMENTS TO THE CONSTITUTION PREVENT CONGRESS FROM REGULATING TERRITORIES

- Douglas – 10TH AMENDMENT

- Dred Scott – 5th Amendment

– LINCOLN – 76 MEMBERS OF 1ST CONGRESS PASSED 10 AMEND AND ORDINANCE OF 79

– 76+39 = THE FATHERS OF THE CONSTITUTION

CONCLUSION

- EVERY LIVING BEING DURING THAT GENERATION BELIEVED THERE WAS NO DIVISION OF LOCAL AND FEDERAL AUTHORITY
- EVERYONE IN THE WORLD BELIEVES THIS

COOPERS UNION

- 3 LEVELS OF ARGUMENTATION

- PRESENT GENERATION
- FUTURE GENERATIONS
- LEADERS OF TOMORROW

- LEVEL 1

- PROOF TO THE AUDIENCE
- RHETORIC AND PERSUASION
- NECESSITY OF THE TIME

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■ LEVEL 2

- TO FUTURE GENERATIONS
- LINCOLN ON THE IMPORTANCE OF EVIDENCE AND DEMOCRATIC CONSENT
- PROBLEM OF MAJORITY RULE AND CONSENT
- PURPOSE OF OUR INSTITUTIONS OF GOVERNMENT
- A FRAME OF SILVER

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■ LEVEL 3

- TO LEADERS OF TOMORROW
- THE DEFECT OF DEMOCRACY
- THE DEFECT OF THE FOUNDER'S CONSTITUTION
- CONSENT AND LEADERSHIP
 - EDUCATION
 - VIRTUE
 - ENLIGHTENED STATESMANSHIP